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09/775,881	02/02/2001	Sunny Behl	P-2196.01/056	3958
24214	7590	03/26/2004	EXAMINER	
JAMES D IVEY 3025 TOTTERDELL STREET OAKLAND, CA 94611-1742				CHERVINSKY, BORIS LEO
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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 20040308

Application Number: 09/775,881

Filing Date: February 02, 2001

Appellant(s): BEHL, SUNNY

James D. Ivey, Reg. No. 37,016
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 08/11/03.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-20 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *ClaimsAppealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

5,694,290	Chang	12-1997
5,514,036	Lin	05-1996
5,510,954	Wyler	04-1996
4,642,715	Ende	02-1987
5,892,655	Grouell	04-1999

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1, 2, 5, 6, 13, 14, 17, 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang.

Chang discloses a device for removably mounting a hard disk drive in a memory storage housing comprising a carrier 50 for holding a hard disk, the carrier having rails to be slidably mounted in the memory storage device 30, a face plate 70, a fan 77 and a handle mounted on the face plate, a heat sink 60 slidably mounted on the carrier 50.

2. Claims 3, 4, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Lin ,036.

Chang discloses the claimed invention except a filter being mounted on the face plate. Lin discloses the removable filter mounted on the faceplate to filter air. It would have been obvious at the time the invention was made to a person having ordinary skill in the

art to have filter as disclosed by Lin in the structure disclosed by Chang to provide clean cooling air into the housing.

3. Claims 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Wyler or, as an alternative, in view of Ende.

Chang discloses the claimed invention, as shown above including grid on the carrier 57 and on the heat sink 62 but does not show fins. Wyler discloses the carrier for the hard disk drive including fins 42. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include fins mounted on the carrier and the heat sink and being aligned with respect to the fan as disclosed by Wyler or Ende in the structure disclosed by Chang for efficient heat dissipation.

4. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Wyler and further in view of Lin ,036.

Chang discloses the claimed invention, as applied to claims 7 and 8, except the faceplate and the filter. Lin discloses the removable filter mounted on the faceplate to filter air. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to have filter as disclosed by Lin in the structure disclosed by Chang to provide clean cooling air into the housing.

(11) Response to Argument

The appellant's argument that the cover 60 as disclosed by Chang is not a heat sink is not persuasive because the heat sink by definition, as provided in appellant's argument, is a device, which absorbs and dissipates heat. The Chang reference discloses element 60 structurally disposed on the removable carrier in similar manner as the heat sink

claimed in the instant application, the element 60 has slots which extend heat dissipating surface and "enhance the dissipation of heat of the hard disk" (col. 4, lines 3-4), the ventilation facilitated by fans disposed on the front and back sides of the carrier providing an air flow substantially from the front to the back of the carrier and the slots of element 60 provide enhancement for heat dissipation which is function of a conventional heat sink. The slotted heat sinks are disclosed in prior art cited in US PTO 892 Form (see Pat. 5,892,655 to Grouell), but the reference has not been used for rejection since no specific structure and/or specific material for the heat sink claimed in claim 1, therefore, the applicant's argument that the slots are used to provide only ventilation cannot be substantiated.

The appellant's argument that the element 60 of Chang can be made of plastic, which is not thermally conductive, is not supported by the reference, because it nowhere suggests plastic as the material for element 60 or the carrier.

The appellant's argument that the carrier having element 60 provided with the slots cannot be stacked is not convincing since, as it was argued above, the air flows form front to the back of the carrier and the slots are needed only as enhancement of heat dissipation from the hard disk.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Boris Chervinsky, Primary Patent Examiner
March 8, 2004



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